IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORDER NO.1118 OF 1994

Haji Abdul Kadar Banne
Miyan Shaikh & Ors. ...Appellants

Vs.

Bombay Municipal Corpn.of
Greater Bombay & ors. ...Respondents

CORAM: A.S.OKA,J.
DATE : FEBRUARY 11, 2005.

P.C.:

1. Office noting shows that the Appeal has already been dismissed for want of prosecution as against the Respondent No.2 as per the order passed by the Additional Registrar on 19-7-1995. The challenge in this Appeal is to the order dated 25th August 1994 passed by the learned Trial Judge in Notice of Motion No.1773 of 1994. The said Notice of Motion has been taken out by the Respondent No.2 herein. As the Appeal has been dismissed as against the Respondent No.2 almost 9 years back, Appeal cannot proceed against the Respondent No.1.

2. Though the Appeal was admitted on 15th September 1994, for a period of more than 10 years typed copy of impugned Judgment has not been filed. There is one more objection which is not removed for about 11 years. Hence Appeal is dismissed. No order as to costs.

JUDGE.